



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Ecology A.O. # 04-12

Subject of possible rule making: Amending the definitions of "clean soils and dredged material" and "contaminated soils and dredged material", and the approach to managing soils containing contaminants, set forth in chapter 173-350 WAC, Solid Waste Handling Standards.

Statutes authorizing the agency to adopt rules on this subject: Chapter 70.95 RCW

Reasons why rules on this subject may be needed and what they might accomplish: Numerous stakeholders have expressed concern with the current approach to managing soils containing contaminants. The current rule provides a very flexible system for managing soils and dredged material. Our intent is to provide greater certainty and a more consistent statewide regulatory system.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
There are no other state and federal agencies with regulatory authority for this subject.

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☒ Agency study

☒ Other (describe) We will convene an External Advisory Committee (EAC) to help formulate approaches to defining and managing soils containing contaminants. The EAC will be comprised of stakeholders and other interested parties. Additionally, we will conduct public workshops on the proposed rule amendments in the latter stages of rule development.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

For more information contact:

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To be added to a notification mailing list please contact Brenda Pozega, Washington State Dept. of Ecology, 4601 N. Monroe, Spokane, WA 99205, (509) 329-3548, bpoz461@ecy.wa.gov

DATE

June 30, 2004

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JUNE 30 2004

TIME 2:15 PM
WSR 04-14-055